

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE ABBOTT LABS NORVIR )  
ANTITRUST LITIGATION, )  
This Document Relates to All )  
Actions. )  
No. C04-1511 CW (BZ)  
SIXTH DISCOVERY ORDER

Having reviewed plaintiffs' August 24, 2007 letter requesting an additional two hours to depose William G. Dempsey, defendant's August 28, 2007 opposing the request, and the entire transcript of the deposition of Mr. Dempsey, I see no need for further briefing or argument. Treating plaintiffs' letter as a motion to compel discovery, the motion is **DENIED**.

Mr. Dempsey's deposition was ordered principally to allow plaintiff to question him about his approval of the price hike at issue. During the deposition, plaintiff spent little time on this topic. To the extent Mr. Dempsey was questioned on other topics, his answers demonstrate little specific

1 knowledge or recollection of the events at issue. I find that  
2 plaintiffs did not make good use of the time they had and that  
3 permitting plaintiffs to continue to question Mr. Dempsey  
4 would not be sufficiently productive to warrant the burden on  
5 defendant. See Rule 26(b)(2)(C)(iii). Therefore, plaintiffs'  
6 motion compel Mr. Dempsey to appear for deposition for an  
7 additional two hours is **DENIED**.

8 Dated: September 4, 2007

9   
10 Bernard Zimmerman  
United States Magistrate Judge

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